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# DEC 2 8 2006

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Wadding et al.

Docket No.: P03242

Ser. No.:

10/540,082

Art Unit:

**TBA** 

Filed:

06/17/2005

Examiner:

TBA

Title:

Contact Lens Manufacture

I hereby certify that this document is being transmitted by facsimile on December 28, 2006 to the United States Patent and Trademark Office at 571-273-8300.

# RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS OF APPLICATION

Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 Attention: Box Missing Parts

Sir:

This communication is filed in response to the Notification of Missing Requirements, dated 11/01/2006, in the above-identified application. Enclosed is a Declaration and Power of Attorney signed by the named inventors.

Please charge \$130.00 to Deposit Account No. 02-1425. This amount includes the Surcharge as calculated in the Notification of Missing Requirements. A duplicate of this sheet is enclosed. Please charge any additional fees or credit overpayment to Deposit Account No. 02-1425.

Dated: December 28, 2006

10540082

formey for Applicants

Registration No.: 44,522

BAUSCH & LOMB INCORPORATED

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#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS 10 Dec 1450 Abounding Vigitin 22313-1450 Amounting Vigitin 22313-1450

U.S. APPLICATION NUMBER NO FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/540,082 John Wadding P03242

INTERNATIONAL APPLICATION NO.

PCT/EP03/14547

John E Thomas Bausch & Lomb One Bausch & Lomb Place Rochester, NY 14604

I.A. FILING DATE PRIORITY DATE 12/18/2003 12/19/2002

**CONFIRMATION NO. 6430** 371 FORMALITIES LETTER OC000000020642230\*

Date Mailed: 11/01/2006

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/17/2005
- Copy of the International Search Report filed on 06/17/2005
- Copy of IPE Report filed on 06/17/2005
- Oath or Declaration filed on 06/17/2005
- Request for Immediate Examination filed on 06/17/2005
- U.S. Basic National Fees filed on 06/17/2005
- Priority Documents filed on 06/17/2005
- Specification filed on 06/17/2005
- Claims filed on 06/17/2005
- Drawings filed on 06/17/2005

NGV \_ 5 2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

PAGE 6/7 \* RCVD AT 12/28/2006 2:04:41 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/42 \* DNIS:2738300 \* CSID:+585 338 8706 \* DURATION (mm-ss):01-38

F-865

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity;

\$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. <a href="https://sportal.uspto.gov/authenticate/Authenticate/Authenticate/LocalEPF.html">https://sportal.uspto.gov/authenticate/Authenticate/LocalEPF.html</a>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

#### KAYA L LEWIS BALTIMORE

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#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,082	PCT/EP03/14547	P03242

FORM PCT/DO/EO/905 (371 Formalities Notice)